

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY

Plaintiff,

v.

Civil Action No. 3:18-cv-00777

TRIAL BY JURY DEMANDED

ROBERT EVANCHICK, in his official
and individual capacities,
BRADLEY J. GETZ,
in his official and individual capacities,
TYREE C. BLOCKER,
in his official and individual capacities,
RICHARD H. D'AMBROSIA,
in his official and individual capacities,
PENNSYLVANIA STATE POLICE,
LESLIE S. RICHARDS,
in her official and individual capacities,
PENNSYLVANIA DEPARTMENT
OF TRANSPORTATION, and
GREGORY D. JOHNSON,
in his official and individual capacities,

Defendants.

NOTICE OF CONSTITUTIONAL QUESTION 2
(sent by fax number to 717-783-1107 and US mail)

Plaintiff, Edward Thomas Kennedy, serves this notice of constitutional question on the
Commonwealth of Pennsylvania Attorney General in this complaint and challenges the

constitutionality of Commonwealth of Pennsylvania Statute Title 75 § 1511, Carrying and exhibiting driver's license on demand. Defendant Pennsylvania State Police charged the Plaintiff under this statute as "A Failure to Carry a License." This Commonwealth of Pennsylvania statute link is here:

<http://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=75&div=0&chpt=15>.

The Supremacy Clause of the Constitution should require Commonwealth of Pennsylvania to enforce federal laws. The state's laws at Pennsylvania Statute Title 75 § 1511 harmful to its residents and violate federal laws.

The United States Supreme Court ruled no license is necessary to drive an automobile on public highways and roads. Plaintiff Kennedy and all Pennsylvania residents has the same rights in the roads and streets as the drivers of horses, horses and buggies and those riding a bicycle..¹

Plaintiff was denied due process rights by Defendants Pennsylvania State Police, Pennsylvania Department of Transportation and Pennsylvania BAR Association members.

Take Official Notice

Second, a Commonwealth of Pennsylvania "state bar association" for attorneys is an organization that advocates the overthrow of our constitutional form of government. Its private association members cannot hold a position in the Government of the United States or government of the District of Columbia. (5 USC 7311) Any Pennsylvania BAR Association² member holding a position in the Government of the United States is an enemy of the state and a

¹ House v. Cramer, 112 N.W. 3; 134 Iowa.

² www.pabar.org.

clear and present danger to the President of the United States and Congress. Pennsylvania State Police, order a Loyalty oath and check on United States personnel in accordance with 22 USC §272b shall comply with US law. No alleged Commonwealth of Pennsylvania Attorney General, Senator or Representative of the United States has filed a valid Certificate of Election in accordance with 2 USC 1a , or subscribed the oath that satisfies the 6th Article of the Constitution of the United States, as found in statute at large 1 Stat. 23.³

It is the duty of the Pennsylvania State Police to insure the office of Pennsylvania Attorney General President has a constitutionally acceptable incumbent that uses a full legal name⁴ and for the Commonwealth of Pennsylvania Attorney General ⁵ to comply.

Third, Commonwealth of Pennsylvania, its officers, and / or its employees used no enactment law to pass Commonwealth of Pennsylvania Statute Title 75 § 1511, Carrying and exhibiting driver's license on demand, a violation of the both US Constitution and the Commonwealth of Pennsylvania Constitution and a violation of Plaintiff's guaranteed constitutional rights.

Fourth "carry" and carrying in Title 18, Section 2709 Plaintiff found no clear legal definition as applied in this statute and Plaintiff requests the Attorney General to define the word as used in the statute, and testify under oath that he complies with its legislative foundation and legislative intent.

³ United States Statutes at Large/Volume 1/1st Congress/1st Session/Chapter 1, link here: https://en.wikisource.org/wiki/United_States_Statutes_at_Large/Volume_1/1st_Congress/1st_Session/Chapter_1

⁴ Defined at 6 CFR 37.3. "Full legal name" means an individual's first name, middle name(s), and last name or surname, without use of initials or nicknames.

⁵ <https://www.attorneygeneral.gov/>. "Josh" is not a full legal name.

Date: April 16, 2018.

Respectfully submitted,

/s/ Edward Thomas Kennedy

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CERTIFICATE OF SERVICE

I certify that on April 16, 2018, I electronically filed a copy of NOTICE OF CONSTITUTIONAL QUESTION 2 with the Clerk of the Court using CM/ECF system, and sent by US regular mail and fax to 717-783-1107 at 2:30 PM to the following:

Joshua David Shapiro (also known as Josh Shapiro)
Commonwealth of Pennsylvania Attorney General
Commonwealth of Pennsylvania Office of Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120
Phone: 570-787-3391
Fax: 570-783-1107

/s/ Edward Thomas Kennedy

EDWARD THOMAS KENNEDY
Plaintiff, Pro Se.